

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

MATTHEW ALLEN WILKS,

Plaintiff,

v.

CIVIL ACTION NO. 3:18-1401

JOHN SLOAN and
WESTERN REGIONAL JAIL,¹

Defendants.

MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Motion to Dismiss of Defendant Western Regional Jail and Correctional Facility (ECF No.11) be granted; the Motion to Dismiss of John Sloan (ECF No. 13) be granted; the complaint be dismissed, with prejudice; and this action be removed from the docket of the Court. Neither party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **ORDERS** that the Motion to Dismiss of Defendant Western Regional Jail and Correctional Facility (ECF No.11) be **GRANTED**; the Motion to Dismiss of John Sloan

¹ The Western Regional Jail is now the Western Regional Jail and Correctional Facility.

(ECF No. 13) be **GRANTED**; the complaint be **DISMISSED**, with prejudice; and this action be **REMOVED** from the docket of the Court, consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: June 19, 2019

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE